

Attorney Docket No.: **ABLE0030US.NP**
Inventors: **Marcel Jaspars**
Serial No.: **10/561,496**
Filing Date: **June 9, 2006**
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REMARKS

Claims 28-57 are pending in the instant application. These claims have been subjected to a species election requirement. The Examiner suggests that the claims are directed to more than one species of the generic invention. The species are as follows:

a disubstituted pyridinium compound.

The Examiner suggests that the species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding technical feature. Specifically, the Examiner suggests that the ring system and radicals within the definition of disubstituted are diverse in scope and the prior art which anticipates one member such as alkyl under 35 U.S.C. 102, would not render obvious another member such as phenyl under 35 U.S.C. 103.

Applicants respectfully traverse this species election requirement.

The inventive concept of the instant claims relates to a method for producing a linear di-substituted pyridinium compound. Applicants respectfully direct the Examiner to page 5 of the instant application wherein the advantages of the method of the

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instant invention are outlined. Clear is that novelty and/or obviousness does not lie in the ring systems and radicals of the compounds produced thereby as suggested by the Examiner, but rather in the steps of the claimed method of production. Accordingly, the basis for this species election requirement is improper.

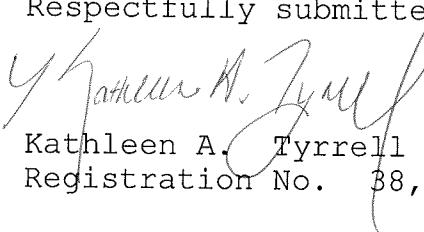
Reconsideration and withdrawal of this species election requirement is therefore respectfully requested.

In an earnest effort to be completely responsive to the Office Action of record, however, Applicants elect the species of dialkyl pyridinium compounds, with traverse. Claims 28 through 57 are readable on the elected species. In accordance with MPEP § 809.01 and 37 C.F.R. § 1.146, the pending claims should only be restricted to the elected species if no generic claim is held allowable. Further, upon finding the elected species to be allowable, it is Applicants' understanding that any remaining species will be examined.

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Applicants believe that the foregoing comprises a full and complete response to the Office Action of record.

Respectfully submitted,


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